

2022 ANNUAL REPORT

TO PROMOTE ECONOMIC VITALITY,
SAFETY & FAIRNESS FOR MISSOURI'S
BUSINESSES & WORKERS



DEPARTMENT OF LABOR
& INDUSTRIAL RELATIONS

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Anna S. Hui

In the following pages, you will learn about the Missouri Department of Labor and Industrial Relations (DOLIR) and the programs and services we offer. We are proud to proclaim the motto “Working Better Together” and each day work to improve the services we provide to Missouri citizens.

I am so proud of our team and the way we confront challenges and show compassion. Every day, our team works for Missourians to make things better today than they were yesterday. One example is our team’s participation in the Missouri State Employee Charitable Campaign, going from 18% participation in 2021 to 41% in 2022. In addition, we continually exceed the state’s participation in the Quarterly Pulse Survey (QPS) as our staff provides important feedback regarding their leadership, direction and employment. Our staff is engaged and motivated to support and improve state government.

The department’s aspiration is to “promote economic vitality, safety and fairness for Missouri’s businesses and workers” – and in every division we strive to meet this standard. From building upon on the Division of Workers’ Compensation’s and Division of Labor Standards’ collaborative work to improve worker safety to stabilizing the safety net for the unemployed or injured, department staff continue to identify opportunities for improvement and have embraced these challenges.

Within the Division of Labor Standards, we administered the child labor, minimum wage and prevailing wage law for the state. We reviewed 67 complaints, issued 889 entertainment permits and reviewed more than 10,000 work certificates. Just as important, the Mine and Cave Safety Program continued to offer training to miners, mine owners, operators and contractors – and at the end of September, helped host the annual mine safety competition in Rolla that put mine competitors to the test.

The Division of Workers' Compensation (DWC) is moving forward on a modernization project that will bring Missouri's workers' compensation program into the technology age. For far too many years, employers and injured workers have used paper and pen to report injuries or complete paperwork. The division is moving in the right direction and has digitized thousands of boxes of data. The new system is called Work Comp Connect and will provide momentum for us in the future.

Like DWC, the Division of Employment Security is showing its momentum. After a very difficult two years, the division is taking a serious look at the mental health and well-being of its employees, especially those who interact with individuals applying for unemployment benefits. A survey showed a remarkable 49% of our front-line staff had experienced a threatening phone call and an astonishing 31% of those suffered secondary trauma as a result of these negative customer interactions. The emphasis on taking care of our workers must be a priority.

In doing so, the department has focused three strategic initiative teams on safety, security and handling threatening encounters. The teams' work is culminating in an internally-produced video series with guests Missouri Capitol Police Chief Zim Schwartz and Lincoln University Police Chief Gary Hill. Additionally, Chief Schwartz will conduct an Active Threat course for all members of the department.

Our focus as a department is to improve our work environment and respond to situations using data. We are enhancing our efforts through data visualization, providing to department leadership regular analyses of Quarterly Pulse Surveys and leveraging this to provide meaningful, impactful improvements for our workforce. It is vital to ensure our team has the resources and support necessary to do their jobs.

The department's focus on data also led to the development of three customer journey maps and a mapping of the typical website journey for our customers. This work ensures an enhanced citizen-centric focus moving forward.

In addition, the Missouri Commission on Human Rights put forth a dedicated effort in 2022 to an in-depth analysis of its overall processes. This analysis will result in a direct case assignment process for investigators along with other efficiencies.

In every way, the Department of Labor and Industrial Relations is committed to improving our relationships with our customers in their time of need. Whether injured on the job, out of a job or discriminated against, we are here to serve our customers as we strive to work better together.



VISION STATEMENT:

To promote economic vitality, safety, & fairness for Missouri's businesses & workers.

THE DEPARTMENT IS COMPRISED OF:

LABOR AND INDUSTRIAL RELATIONS COMMISSION (LIRC)

The LIRC provides oversight of the Department of Labor and Industrial Relations. It is composed of three commissioners appointed by the Governor, with the advice and consent of the Senate. The LIRC hears appeals of claims on Workers' Compensation, Unemployment Insurance, and Tort Victims' Compensation as well as objections to Prevailing Wage Orders.

DIVISION OF EMPLOYMENT SECURITY (DES)

The DES administers Missouri's Unemployment Insurance program, a joint state-federal program funded by the Unemployment Tax paid by employers. These funds are held in the Missouri Unemployment Compensation Trust Fund and payment of benefits for regular unemployment are made from this fund. There are also special unemployment programs available to qualified individuals.

STATE BOARD OF MEDIATION (SBM)

The SBM is a quasi-judicial board that administers the Public Sector Labor Law (Section 105.500 - 105.530 RSMo.). Duties include defining appropriate bargaining units of employees, certifying bargaining units, and determining majority representation status by secret ballot elections.

MISSOURI COMMISSION ON HUMAN RIGHTS (MCHR)

The MCHR works to prevent and eliminate discrimination, investigates complaints of discrimination under the Missouri Human Rights Act and facilitates fair and timely resolutions of discrimination claims.

DIVISION OF LABOR STANDARDS (DLS)

The DLS is comprised of five sections. The Research and Analysis Section collects and analyzes data relating to occupational and work-related injuries and fatalities in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics. The Wage and Hour Section enforces wage and hour laws and calculates annual prevailing wage/average hourly wage rates. Free safety consultation services for Missouri employers designed to help them stay in compliance with federal regulations are provided by the On-Site Safety and Health Consultation Program. Mine and Cave Safety staff inspect mines and show caves operating in Missouri and train miners prior to beginning employment and annually thereafter to ensure safe and healthy work habits. The Mine and Cave Safety staff also assist with rescue and recovery efforts should there be a mining accident in Missouri. The Workers' Safety Program, funded by the Workers' Compensation Fund, certifies the safety programs of workers' compensation insurance carriers, certifies safety consultants and rehabilitation facilities for Second Injury Fund Rehab benefits, and assists employers in developing programs to improve workplace safety and eliminate hazards.

DIVISION OF WORKERS' COMPENSATION (DWC)

The Workers' Compensation Division ensures that an employee who suffers a work-related accident, injury, or occupational disease receives medical treatment, wage loss replacement benefits, permanent partial or permanent total disability benefits, and/or death benefits as prescribed by the law. The Division also oversees benefits that are owed to employees for occupational diseases due to toxic exposure. Various options to resolve disputes that may arise between injured employees and the employers/insurers, and/or the Second Injury Fund (SIF); including adjudication services, are provided through eight satellite offices. The Division also regulates individual employers and groups/trusts who have been authorized to self-insure their workers' compensation obligations and investigates allegations of workers' compensation fraud and noncompliance. The Division also authorizes payment of compensation and benefits from the SIF and administers the Line of Duty and Tort Victims' Compensation Programs.

WORKER CLASSIFICATION

WHAT IS WORKER MISCLASSIFICATION?

Pursuant to Chapter 285 of the Revised Missouri Statutes, an employer will classify a worker as an employee or a contractor. As a general rule, those workers who are classified as employees are covered under Chapter 285.

When workers are classified as “independent contractors” but should be “employees,” they are considered misclassified. When an employee is improperly classified as a contractor, they may not be eligible for assurances normally provided by state law.

On Sept. 11, 2020, Governor Mike Parson signed Executive Order 20-15 creating the Interagency Task Force on Worker Classification. The Order directs the Department of Labor and Industrial Relations, Department of Revenue, Department of Commerce and Insurance and the Attorney General to promote the proper classification of Missouri workers.

WORKER INFORMATION

As a worker, ensuring you are properly classified ensures you are qualified to receive benefits to which you are entitled. Misclassified workers miss out on things like health insurance, unemployment benefits, workers’ compensation coverage and employer tax contributions. Missouri law defines who is an employee and who is an independent contractor based on the relationship between the business and the person performing the work.

Missouri uses the IRS 20-factor test as a guide in determining if a worker is an employee of a business. Generally speaking, giving a worker direction on when, how and where to complete work; paying by the hour, week or month; reimbursing for business and travel expenses; performing work on the business’s premises or having a continuing relationship between the worker and the employee all may point to a worker being an employee under the law.

MISSOURI BUSINESSES

The majority of Missouri businesses properly classify their workers. These employers foster good working relationships with employees and competitors and avoid costly penalties.

Failing to properly classify workers could put profits and business at risk. Employers who improperly classify their workers face penalties of \$50 to \$1,000 per day per worker. They could also serve up to six months in jail per violation. In addition, the employer may be liable for unemployment taxes on that employee, and the DES may assess a penalty of up to 25 percent of the amount the state is defrauded. Failing to provide workers’ compensation insurance is also illegal, and may incur additional criminal charges and fines.

HELPFUL INFORMATION

Online, the department provides a Worker Misclassification Assessment which inquires about behavioral control, financial control, the relationship between the business and worker, and other details.

REPORTING MISCLASSIFIED WORKERS

Through the Division of Employment Security, a Report Worker Misclassification/1099 Abuse Form is available online to report a business for misclassifying a worker as an independent contractor or for 1099 abuse. The form can be found at LRForms.mo.gov/misclassify/misclassForm.

FINANCIAL APPROPRIATIONS

The operating budget for the Department is appropriated by the General Assembly and approved by the Governor in the annual budget process. These appropriations fund personnel services (payroll), equipment and other expenses necessary to carry out the duties of the Department. It does not include any benefit payments.

\$94,444,896*	Division of Employment Security*
\$10,072,999**	Division of Workers' Compensation**
\$5,822,993	Director and Staff
\$2,684,190	Division of Labor Standards
\$1,560,815	Missouri Commission on Human Rights
\$1,122,637	Labor and Industrial Relations Commission
\$150,559	State Board of Mediation
\$115,859,089	TOTAL

* This amount excludes tax interceptions and benefit payments. This amount increased due to pandemic programs.

**This amount excludes Second Injury and tort victims' claim payments and Second Injury Fund refunds.

LEGISLATIVE SUMMARY

DIVISION OF EMPLOYMENT SECURITY

In FY 2019, congress passed the CARES Act creating many new federal unemployment programs. Additionally, the State of Missouri relaxed some requirements for unemployment in order to better serve our citizens during this pandemic. In July of 2020, these requirements returned to normal, coinciding with the Governor's announcement of Missouri returning to normal. In March of 2021, Congress passed the American Rescue Plan Act, reauthorizing these programs until September of 2021. Missouri ended these federal unemployment programs early in June of 2021. In July of 2021, Missouri implemented a process for claimants to apply for potential waiver of the recovery of non-fraud federal pandemic program unemployment benefit overpayments.

DIVISION OF WORKERS' COMPENSATION

During the 2021 legislative session, the Missouri Legislation passed a sunset extension on the supplementary surcharge that supports funding for the Second Injury Fund. The sunset was extended for two years and capped the supplementary surcharge at 3% for CY 2022 and 2.5% for CY 2023.

The legislature also passed legislation that made administrative changes to workers' compensation law that allow for more flexibility in administering this program. These changes codify the Division's ability to hire third party administrators to administer insolvent self-insurance debts and added items previously excluded to the Second Injury payment prioritization.

On August 27, 2021, Governor Parson signed Executive Order 21-09, which terminated the COVID-19 state of emergency and all related waivers and suspensions in prior executive orders, effective December 31, 2021. See www.sos.mo.gov/library/reference/orders/2021/eo9.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

This session, the Legislature passed legislation codifying the LIRCs authority to accept workers' compensation documents electronically for appeals.

STATE BOARD OF MEDIATION

This session, Dale Hardy Roberts was appointed and confirmed by the Missouri Senate to serve as one of the union representatives to the State Board of Mediation. His term began May 6, 2021, and ended April 1, 2022.

MISSOURI COMMISSION ON HUMAN RIGHTS

During the 2021 session, the Missouri Senate confirmed two of Governor Mike Parson's appointees to the Missouri Commission on Human Rights. These appointees were Derek Holland* of the 4th Congressional District and Reverend Dr. Timothy Faber as an At-Large Member. Their terms began February 11, 2021, and will end April 1, 2026.

*Resigned April 29, 2022

LABOR & INDUSTRIAL RELATIONS COMMISSION



Rodney J. Campbell
Chair | Public Member



Kathryn Swan
Commissioner | Employer Member



Shalonn "Kiki" Curls
Commissioner | Employee Member

The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution. The LIRC's primary constitutional duty is to oversee the Department of Labor and Industrial Relations.

The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution with the primary constitutional duty to oversee the Department of Labor and Industrial Relations. In 1974, the LIRC delegated to the Director of the Department, who is appointed by the Governor and confirmed by the Senate, in his or her capacity as the chief administrative officer over all units of the Department except LIRC itself, the administrative authority required to effectively carry out the day-to-day operations, functions, and duties of the Department and its divisions as established by law.

The LIRC is composed of three commissioners and operates under the authority of Chapter 286, RSMo. Each commissioner is appointed to a staggered six-year term by the Governor with the advice and consent of the Senate. One member of the LIRC, who must be a licensed Missouri attorney, represents the public. The other two members represent employers and employees respectively. The Governor designates one member as the chair.

The LIRC hears appeals from administrative decisions in workers' compensation, unemployment compensation, and tort victims' compensation cases. The LIRC also hears and decides prevailing wage disputes. In addition, the LIRC approves or disapproves all rules or regulations proposed by the divisions within the Department.

Employment Security

2,553	Employee Benefit Appeals
0	Employer Contribution Appeals
3,171	Benefit Decisions/Orders Issued
0	Contribution Decisions/Orders Issued
366	Appeals to the Missouri Court of Appeals
0	Benefit/Contribution Cases Pending as of June 30, 2022

Workers' Compensation/Tort Victims/Line of Duty

92	Applications for Review of Award by Administrative Law Judge
0	Motions for Modification of Award
43	Applications for Approval of Settlement
62	Awards Issued
111	Orders Issued
0	Oral Arguments Heard
33	Appeals to the Missouri Court of Appeals
87	Cases Pending as of June 30, 2022

Prevailing Wage

6	Objections Filed
0	Hearings Held
3	Decisions Issued
0	Appeals to Court



ACTING DIVISION DIRECTOR: Allen Andrews

The Division of Employment Security (DES) is responsible for administering the state's Unemployment Insurance (UI) program. In Missouri, it is a joint state-federal program funded solely through tax contributions paid by employers, so no deductions are made from employees' paychecks for this insurance. All tax contributions are deposited into the Missouri Unemployment Compensation Trust Fund (UTF). Payments of benefits under the regular UI program are made from the UTF to eligible claimants.

The UI system in the United States was created in 1935 to stabilize the economy and alleviate personal hardship stemming from involuntary job loss. Benefits paid to eligible recipients are intended to provide temporary financial assistance to people who are able and willing to work and who are unemployed through no fault of their own. These benefits help maintain the economy of the state during periods of economic downturn by helping preserve the level of consumer purchasing power.

The DES processes weekly requests for payment and pays benefits to individuals in covered employment under state and federal unemployment programs. Missouri's unemployment program is normally comprised of regular UI, Unemployment Compensation for Ex-Service members (UCX), Unemployment Compensation for Federal Employees (UCFE), and Trade Readjustment Allowances. When authorized, the DES is also responsible for administering federal-state Extended Benefits (EB), federal Emergency Unemployment Compensation (EUC), and Disaster Unemployment Assistance (DUA).

UInteract, the Division's unemployment insurance online system, is mobile-friendly. This self-service function allows unemployed workers to avoid on-hold wait times, file initial unemployment claims and weekly requests for payment, get answers to questions about their claims and access current job listings specific to their skill set and experience, helping them to find work sooner. Claimants who do not have access to the internet are still able to visit their local Job Center to file claims online while taking advantage of job services and training available there, or they can call dedicated support lines to receive personal assistance over the phone. Greater self-service allows the DES staff to focus on eligibility determinations. Which reduces the amount of time that eligible claimants wait for benefits and helps prevent ineligible workers from receiving improper payments.

253,236	Individuals that Filed a UI Claim
1,025,064	Weekly Requests for Payment Processed
\$224,129,990	State UI Trust Fund Benefits Paid
\$52,176,952	Federal UI Benefits Paid
184,271	Employers Liable for Contributions
\$332,057,831	Employer Contributions Collected

UI APPEALS SECTION

Pursuant to federal and Missouri law, the DES must provide an opportunity for a fair hearing before an impartial tribunal to all parties affected by a deputy's determination. The DES UI Appeals Section provides due process hearings for all appeals arising under the basic programs of UI benefit entitlement and tax liability, as well as special unemployment programs, when authorized.

Once an appeal is filed, an impartial Appeals Referee conducts an evidentiary hearing and issues a written decision regarding the appeal. The decision of the Appeals Referee is subject to review by the Labor and Industrial Relations Commission upon timely application by the aggrieved party, and ultimately by Missouri's appellate courts if the aggrieved party so chooses.

23,207
APPEALS FILED

44,200 APPEALS RESOLVED
BY DECISION OR ORDER

UI BENEFITS SECTION

The DES works to provide prompt and accurate payments of unemployment benefits to eligible claimants. A person must have worked in employment covered under the Missouri Employment Security Law and earned enough qualifying wages in order to establish a claim for unemployment benefits. The formula to determine the benefit amount uses wages earned by the individual worker, which means not all workers are eligible for 20 weeks of benefits.

20 WEEKS

Maximum number of weeks eligible for benefits

\$320

Maximum weekly benefit amount paid

\$274.59

Average weekly benefit amount paid

The DES uses an identity verification solution for all unemployment claims filed. The program is designed to ensure that the information provided during the claim intake process is correct and belongs to the person filing a claim for unemployment benefits prior to UI benefits being paid. All individuals are evaluated by fraud detection software and assigned fraud risk scores. Individuals who are determined to be high risk for identity fraud are presented with a series of questions that only the user should be able to answer. If individuals do not provide the correct answers, they are mailed a letter directing them to report to a Job Center with proof of their identity.

IN STATE FISCAL YEAR (SFY) 2022, 4,236 PEOPLE FAILED THE IDENTITY PROOFING PROGRAM OR DID NOT REPORT TO THE JOB CENTER AS REQUIRED TO VERIFY THEIR IDENTITY.

The DES continues to partner with the Missouri Department of Higher Education and Workforce Development – Office of Workforce Development (DHEWD-OWD) to offer extensive re-employment services for jobseekers. The collaborative efforts maintain an environment within both agencies that allows data sharing which sustains a large number of programs aimed at improving the ability of unemployed workers to find new jobs or seek further education to enhance opportunities for re-employment. An example of this is implementation of the job matching system, where an unemployed worker is provided with available job openings matching their skills and prior work history when filing an unemployment claim.

In addition, the DES and the OWD are jointly responsible for the operation of Missouri's Reemployment Services and Eligibility Assessment (RESEA) Program. This program targets claimants who are most likely to exhaust their UI benefits and recipients of unemployment compensation for ex-service members (UCX) and requires them to report to their local Missouri Job Centers to receive specialized reemployment services and a UI eligibility assessment. In SFY 2022, 11,166 job seekers received services through the RESEA program.

SHAREDWORK

An alternative to layoffs for employers faced with a reduction in available work

787

Employers participated

13,174

Employee layoffs avoided

\$2,686,977

Paid in Shared Work benefits

UI TAX SECTION

The UI Tax Section assists businesses in meeting their obligations under the UI program for filing required quarterly reports and payment of UI tax. Liable employers are assigned a UI tax rate as defined within the law.

Generally, an employer's tax rate is determined by the relationship between chargeable benefits paid out, UI taxes paid in, and an employer's average annual taxable payroll.

The UI Tax Section monitors and improves compliance among businesses to ensure equity and a level playing field. Businesses that don't properly report and pay UI taxes for their workers gain an unfair advantage. It also creates barriers for eligible workers to access UI benefits in a time of need.

**MISSOURI IS
1 OF 13 STATES
THAT ALLOW A MINIMUM
UI TAX
RATE OF 0%**

**EMPLOYERS PAID \$332,057,831
IN UI TAXES THAT WERE CREDITED TO
THE UNEMPLOYMENT TRUST FUND**

**PROVIDED UI COVERAGE FOR
3,332,270 EMPLOYEES**

**INVESTIGATIONS
CONDUCTED**

15,982

**WORKERS IDENTIFIED AS
IMPROPERLY CLASSIFIED**

2,675

184,271

**EMPLOYERS WERE ASSISTED IN
ESTABLISHMENT OF LIABILITY &
MAINTENANCE OF THEIR EMPLOYER
ACCOUNTS & RECORDS**

28,564

**EMPLOYERS NOT PREVIOUSLY LIABLE
FOR UI TAX BECAME LIABLE**

UI INTEGRITY SECTION

As part of an ongoing effort to detect and reduce improper UI benefit payments, the DES conducts cross-matches to compare relevant databases to claimants who file for UI benefits. Claimants who have returned to work and continue to complete weekly requests for payment are one of the leading causes of improper payments. One of the most effective tools for early detection of improper payments is cross-matching new hire data reported by employers.

**DES
NEW HIRE
CROSS-MATCH
UNIT**

15,053
Matches
detected for
investigation

New Hire
Cross-match
Unit
investigated
cross-matches

13,307
Overpayment
determinations
established

Over
\$5.1 million in
overpayments
discovered

The DES utilizes a variety of cross-matches to prevent and detect fraud and improper payments of the UI program, including the quarterly cross-match with wages reported by employers.

QUARTERLY WAGE CROSS-MATCHES DETECTED \$8,047,376 IN IMPROPERLY PAID BENEFITS.

Collection of overpaid benefits is a high priority. Methods used to collect the debt for overpaid benefits include intercepting state and federal income tax refunds and state lottery winnings, offsetting future payment of unemployment benefits, voluntary credit card payments, cash payments and garnishment of wages.

DES RECOVERED:

\$15.9 MILLION OF IMPROPERLY PAID BENEFITS

MORE THAN \$1.6 MILLION IN FRAUD PENALTIES

The most egregious overpayments of benefits due to fraud are investigated and referred for criminal prosecution.

The DES is an active member of the Integrity Data Hub (IDH), a centralized, multi-state data analysis project to prevent UI fraud and address identity theft. The IDH is a secure, robust data system that allows participating State UI agencies to crossmatch UI claims against a database of information associated with known or potentially fraudulent claims or overpayments. The IDH contains an increasingly expanded set of data sources to provide advanced data cross-matching and analytic capabilities. The IDH allows Missouri to cross-match initial, renewed and weekly UI claims against a database of information associated with potentially fraudulent claims or overpayments. The IDH offers several benefits to Missouri including leveraging information collected by other state workforce agencies, a focus on identifying and addressing identity theft, an expanded visibility into potential multi-state fraud activity and automated flagging of data for further investigation. The IDH also includes identity verification, bank account verification and fraud alerting tools.

The DES is responsible for the operation of two federally mandated programs, Benefit Accuracy Measurement (BAM) and Tax Performance System (TPS). The BAM program audits both paid and denied unemployment claims. The TPS program audits the operation of the DES UI tax program.

882 BENEFIT CLAIMS AUDITED

1,018 TAX CASES AUDITED

Other functions and responsibilities of the UI Integrity Section include producing and providing statistical information, raw data and financial information to the Department's executive staff, the U.S. Department of Labor (USDOL), members of the Missouri General Assembly and all other interested stakeholders. The Integrity Section also prepares and submits USDOL required reports, UTF projections, budget oversight, and fiscal notes; calculates and monitors the DES performance measures; writes and monitors grants; assists in the implementation of statutory changes; and ensures Missouri's UI system complies with federal laws and policies.

EMPLOYMENT & EARNINGS

Cal. Year	Covered Employers	Covered Employees ¹	State Revenues ¹	Wages Paid in Covered Employment ¹		Average Tax Rate-Percent of		Taxable Wage Base	Annual Wage
				Total	Taxable	Total	Taxable		
2017	161,917	2.7M	\$434.4M	\$126.9B	\$30.5B	0.43	1.44	\$13,000	\$46,931
2018	166,204	2.7M	\$376.4M	\$133.2B	\$29.9B	0.33	1.17	\$12,500	\$48,615
2019	167,773	2.7M	\$351.7M	\$132.2B	\$29.4B	0.30	1.13	\$12,000	\$50,114
2020	171,053	2.7M	\$330.9M	\$140.3B	\$27.8B	0.27	1.09	\$11,500	\$53,596
2021	174,643	2.7M	\$333.6M	\$150.4B	\$28.5B	0.25	1.06	\$11,000	\$56,447

1 - These are abbreviated figures.

UI CLAIMS & BENEFITS

Cal. Year	First Payments	Weeks Compensated	Benefits Paid ¹	Avg. Weekly Benefit Amt.	Average Duration	Exhaustion Rate	Trust Fund Balance ¹	Outstanding Fed. Loans ¹
2017	92,635	1,117,855	\$283.8M	\$260.58	12.1	32.6	\$826.5M	\$0
2018	83,884	1,027,699	\$265.1M	\$264.96	12.3	31.4	\$942.9M	\$0
2019	70,638	909,564	\$235.8M	\$266.00	12.9	32.6	\$1.07B	\$0
2020	363,538	5,047,520	\$1.18B ²	\$250.98	13.9	35.0	\$437.9M	\$0
2021	99,524	1,490,907	\$369.4M	\$262.88	15.0	35.1	\$609.2M	\$0

1 - These are abbreviated figures.

2 - Includes benefits paid to individuals under the regular state program. It excludes benefits paid through federal pandemic programs.

UNEMPLOYMENT COMPENSATION FUND

BALANCE ON HAND - JULY 1, 2021	\$596,308,421.21
DEPOSIT	
Net UI* Contributions <i>*Unemployment Insurance</i>	\$331,344,839.45
Penalty/Interest	\$4,073,287.59
U.S. Treasury Interest Credits	\$10,276,053.00
Intra-Account Transfer	\$541,257,102.74
From Other States-Interstate Benefits CWC* <i>*Combined Wage Claim</i>	\$6,371,474.34
FECA* Advances/Reimbursements-UCX** <i>*Federal Employees Compensation Act</i> <i>**Unemployment Compensation for Ex-service Members</i>	\$545,057.17
Reimbursable-Local Govt. & Other Pol. Subdivisions	\$3,216,091.96
Reimbursable-State Govt., State Hospitals, & Higher Education	\$1,158,562.52
Reimbursable-Nonprofit Organizations	\$7,407,968.87
Federal Share Extended Benefits	\$29,226.39
Federal Emergency Compensation/EUC08* <i>*Extended Unemployment Compensation 2008</i>	\$(1,125,050.73)
Federal Emergency Compensation/PEUC* <i>*Pandemic Emergency Unemployment Compensation</i>	\$2,005,591.84
Federal Emergency Compensation/FAC* <i>*Federal Additional Compensation</i>	\$14,361,238.53
Federal Pandemic Unemployment Compensation	\$45,848,076.16
Pandemic Unemployment Assistance	\$5,562,636.90
Mixed Wage Earners Unemployment Compensation	\$1,012,019.67
FECA Advances/Reimbursements-UCFE* <i>*Unemployment Compensation for Federal Employees</i>	\$1,161,910.29
Other - Reimbursement of Waiting Week	\$3,909.03
Other - Trust Fund Loans/FUTA Tax Credits* <i>*Federal Unemployment Tax Act</i>	\$(13,012.56)
Other - Returned EUC*/FSC** Rest <i>*Emergency Unemployment Compensation</i> <i>**Federal Supplemental Compensation</i>	\$0
TOTAL RECEIPTS	\$974,496,983.16

The figures in this report are FY 2022 (July 1, 2021 to June 30, 2022) unless otherwise noted.

DISBURSEMENTS

Net UI Benefits	\$202,452,816.86
Net Reimbursable Benefit Payments-Local Govt. and Other Pol. Subdivisions	\$3,208,624.09
Net Reimbursable Benefit Payments-State Govt., State Hospitals, and Higher Education	\$1,165,364.94
Net Reimbursable Benefit Payments-NonProfit Organizations	\$7,531,705.79
FECA Net Benefit Payments-UCX	\$441,447.13
Net Federal Benefits-Federal Share (Extended)	\$(84,430.33)
EUC08 Activity	\$(1,046,031.40)
PEUC Activity	\$3,286,766.17
TEUC* Activity <i>*Temporary Extended Unemployment Compensation</i>	\$(2,444.78)
Federal Emergency Compensation-FAC	\$(56,374.37)
Federal Pandemic Unemployment Compensation	\$28,074,348.09
Pandemic Unemployment Assistance	\$8,574,276.50
Other Temporary Federal Compensation/Waiting Week	\$363,367.34
Mixed Wage Earners Unemployment Compensation	\$31,635.00
To Other States-Interstate Benefits CWC	\$14,450,946.73
Title IX (Admin) or Special Legislation/Emergency Admin Grant	\$1,637,258.25
To Special Funds Penalty/Interest	\$6,655,544.37
FECA Net Benefit Payments-UCFE	\$1,651,611.44
Intra-Account Transfers	\$541,188,657.11
Other First Payments EB*/Loan Repayment <i>*Extended Benefits</i>	\$20,218.96
TOTAL DISBURSEMENTS	\$819,545,307.89
Balance on Hand - June 30, 2022	\$751,260,096.48
Cash Balance - June 30, 2022	
<i>Clearing Account</i>	
Central Bank, Jefferson City, MO	\$(571,126.01)
<i>Benefit Account</i>	
Central Bank, Jefferson City, MO	\$(5,229,428.02)
<i>Trust Fund Account</i>	
U.S. Treasury	\$757,060,650.51

DIVISION OF WORKERS' COMPENSATION



DIVISION DIRECTOR: Pamela Lewis

The Missouri Division of Workers' Compensation (DWC) administers programs that provide services to all stakeholders including workers who were injured on the job or were exposed to occupational diseases arising out of and in the course of employment. The DWC ensures injured workers receive benefits they are entitled to under the Missouri Workers' Compensation Law.

FUNDING FOR THE DWC TO ADMINISTER MISSOURI'S WORKERS' COMPENSATION LAW

Tax
Surcharge

Capped at 2% per
Missouri Statute

Set at 1% for
CY 2010-2022

On insurance carriers' net deposits, net premiums or net assessments for workers' compensation insurance, and net premiums equivalent for self-insured employers.

\$17,900,013 Workers' Compensation Tax for CY 2021
\$87,071,828 Second Injury Fund Surcharge for CY 2021

WORKPLACE INJURIES REPORTED



94,063
Total
workplace
injuries
reported

83,508 First Report of Injury (FROI) received, but no Claim for Compensation filed

8,848 FROI received and a Claim for Compensation filed

1,707 Claims for Compensation filed but no FROI received

92,356
Total FROIs
received

SELF-INSURANCE

Employers subject to the Missouri Workers' Compensation Law are required to either purchase workers' compensation insurance coverage through an insurance carrier authorized to insure such liability in the state of Missouri by the Missouri Department of Commerce and Insurance or obtain approval from the DWC to self-insure their workers' compensation liability.

An employer or its insurer must report workplace injuries to the DWC within 30 days of knowledge of the injury, except for injuries that require immediate first aid and no further medical treatment or lost time from work. Any person who knowingly fails to report the injury as required by law is deemed guilty of a misdemeanor and, on conviction, shall be punished by fine or imprisonment, or both. Employees can file a formal Claim for Compensation to initiate a contested case proceeding in the Workers' Compensation Program.

<i>Security Held FY 2020 ²</i>	\$659,285,418
<i>Security Held FY 2021 ²</i>	\$656,851,418
<i>Security Held FY 2022 ²</i>	\$656,187,005

INDIVIDUAL SELF-INSURANCE

FY	Employers	Employees Covered ¹	Payroll Covered ¹
2019	245	412,663	\$20,529,944,545
2020	220	440,703	\$20,872,824,971
2021	213	438,667	\$21,129,595,842
2022	215	414,636	\$21,586,263,531

GROUP TRUST SELF-INSURANCE

FY	Employers	Employees Covered ¹	Payroll Covered ¹
2019	2,633	276,271	\$9,841,361,246
2020	2,612	277,294	\$10,228,034,506
2021	2,563	273,560	\$10,483,150,995
2022	2,532	261,166	\$10,773,807,413

¹ - Number valid as of close of prior calendar year
² - Excludes security called due to default

SECOND INJURY FUND

Injured workers bear the burden of proving entitlement to benefits under the Workers' Compensation Law. Injured workers also can qualify for benefits from the **Second Injury Fund (SIF)**.

The SIF was created to benefit workers who are disabled and certain workers with a previous work-related disability. It encourages employment by permitting persons to be employed without exposing employers to any liability for previous disabilities in certain cases.

The SIF is funded by a surcharge on workers' compensation premiums of up to a maximum of 3% by law plus an additional surcharge of up to a maximum of 3% for Fiscal Year 2022 and up to a maximum of 2.5% for Fiscal Year 2023.

Total recipients of PTD* benefits (both ongoing and lump sum)	2,239
Recipients who received ongoing, lifetime PTD* benefits	2,034
TOTAL PTD* BENEFITS PAID	\$66,317,387.60
Total recipients of PPD** benefits (both ongoing and lump sum)	338
TOTAL PPD** BENEFITS PAID	\$2,135,231.12
Total recipients of Rehab benefits (both ongoing and lump sum)	4
TOTAL REHAB BENEFITS PAID	\$1,845.71
Total recipients of Uninsured Medical benefits (both ongoing and lump sum)	9
TOTAL UNINSURED MEDICAL BENEFITS PAID	\$137,033.85
Total recipients of Uninsured Death benefits (both ongoing and lump sum)	8
TOTAL UNINSURED DEATH BENEFITS PAID	\$140,733.58
Total recipients of Lost Wages benefits (both ongoing and lump sum)	11
TOTAL LOST WAGES BENEFITS PAID	\$39,109.84
<small>*Permanent Total Disability **Permanent Partial Disability</small>	

Most workers' compensation cases are resolved through a settlement between the parties and without proceeding to a hearing. A hearing can be costly and time consuming. All settlements must be approved by a DWC Administrative Law Judge. Parties can request that their case be set before a judge to assist them with discussing issues or for a formal mediation to work toward compromise settlement. For cases not resolved by compromise settlement, the Judges conduct hearings and make determinations on what, if any, benefits are owed to the injured worker.

15,840 6,954 622	Compromise settlements approved* Claims dismissed* Hearings
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*Insurance, Second Injury Fund and Medical Fee Dispute

The DWC's Fraud and Noncompliance Unit investigates all allegations of fraud and noncompliance under Chapter 287 of the Missouri Revised Statutes. Employers who are subject to the law and knowingly fail to insure their workers' compensation liability are committing a criminal offense that can lead to fines and prison time.

Under Section 287.128.3(6), RSMo, fraud includes to "knowingly make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any benefit."

445 FRAUD AND NONCOMPLIANCE CASES
INVESTIGATED

91 FRAUD AND NONCOMPLIANCE CASES REFERRED
TO THE MISSOURI ATTORNEY GENERAL'S OFFICE
FOR PROSECUTION

521 WORKERS POTENTIALLY IMPACTED BY FAILURE
OF EMPLOYER TO INSURE, FROM THE REFERRED
CASES

\$376,577.10 IN PENALTIES RECOVERED FROM THE
REFERRED CASES TO THE ATTORNEY GENERAL'S
OFFICE**

**Penalties recovered include those from cases referred, or penalties from, previous Fiscal Years. Some cases take longer than a year to reach a resolution and many penalties are paid in monthly installments over several years.



ADMINISTRATIVE LAW JUDGES

Ryan Asbridge
 Karla Boresi
 Maureen Byrne
 Kenneth Cain
 Joseph Denigan
 Kevin Elmer
 Bruce Farmer
 Hannelore Fischer
 Karen Fisher
 Suzette Flowers
 Emily Fowler
 Kathleen Hart
 Angela Heffner
 Joseph Keaveny
 Edwin Kohner
 Gina Mitten
 John Ottenad
 Lisa Pottenger
 Melodie Powell
 Lawrence Rebman
 Lee Schaefer
 Mark Siedlik
 Carl Strange
 Kevin Thomas
 Jason Tilley
 Amy Young

As of 9-28-2022

ACCIDENTS & DISEASES BY SEVERITY*

INDUSTRY	FATALITIES ¹	LOST TIME ²	MEDICAL ³	UNKNOWN OR INCIDENT ONLY ⁴	TOTAL
Accommodation & Food Services	5	346	1,202	3,218	4,771
Administrative and Support and Waste Management & Remediation Services	2	426	802	2,024	3,254
Agriculture, Forestry, Fishing & Hunting	2	63	211	433	709
Arts, Entertainment and Recreation	0	104	494	910	1,508
Construction	13	588	1,131	2,264	3,996
Educational Services	0	282	1,217	3,429	4,928
Finance and Insurance	4	354	2,031	2,612	5,001
Health Care and Social Assistance	8	1,978	3,913	12,048	17,947
Information	4	61	97	428	590
Management of Companies & Enterprises	0	71	229	270	570
Manufacturing	11	1,271	3,945	7,209	12,436
Mining	0	8	30	85	123
Employer Industry Unknown	8	22	25	615	670
Other Services (Except Public Administration)	3	144	465	871	1,483
Professional, Scientific & Technical Services	0	152	639	1,466	2,257
Public Administration	19	1,483	2,153	5,343	8,998
Real Estate and Rental & Leasing	3	76	233	631	943
Retail Trade	8	891	3,104	6,764	10,767
Transportation and Warehousing	11	1,033	1,438	4,159	6,641
Utilities	0	78	177	291	546
Wholesale Trade	3	453	906	2,168	3,530
TOTAL	104	9,884	24,442	57,238	91,668

*Workers' Compensation cases develop over time. The counts disclosed are based on information as of 9-29-2022 and are likely not reflective of the final counts and dollar amounts for the Fiscal Year, because the cases have not fully developed.

1 - Deaths reported as of September 2022. Death may later be determined not to be a compensable-work related injury.

2 - Cases where Temporary Total Disability (TTD) or Temporary Partial Disability (TPD) benefits were reported paid.

3 - Cases where no TTD or TPD benefits were reported but medical costs were reported.

4 - Cases where no payment information has been received. Includes incident only cases reported to the DWC as a precautionary measure.

COST BY INDUSTRY & TYPE OF BENEFIT*

INDUSTRY	TEMPORARY BENEFITS	PERMANENT BENEFITS	DEATH BENEFITS	MEDICAL BENEFITS	TOTAL BENEFITS
Accommodation & Food Services	\$761,106.28	\$897,538.33	\$0.00	\$6,807,648.83	\$8,466,293.44
Administrative & Support & Waste Management & Remediation Services	\$1,321,965.36	\$1,559,483.11	\$0.00	\$7,980,955.01	\$10,862,403.48
Agriculture, Forestry, Fishing & Hunting	\$188,081.55	\$176,726.46	\$0.00	\$1,543,686.73	\$1,908,494.74
Arts, Entertainment & Recreation	\$211,758.40	\$296,399.23	\$0.00	\$2,328,548.16	\$2,836,705.79
Construction	\$3,844,744.78	\$2,727,039.99	\$311,715.96	\$23,500,924.65	\$30,384,425.38
Educational Services	\$694,600.89	\$843,784.36	\$0.00	\$5,958,551.68	\$7,496,936.93
Finance & Insurance	\$1,121,761.23	\$1,004,848.70	\$0.00	\$11,833,619.56	\$13,960,229.49
Health Care & Social Assistance	\$3,305,503.30	\$2,964,051.05	\$0.00	\$18,302,221.81	\$24,571,776.16
Information	\$301,871.66	\$324,122.31	\$326,663.57	\$1,037,736.06	\$1,990,393.60
Management of Companies & Enterprises	\$221,497.93	\$53,012.38	\$0.00	\$1,704,284.30	\$1,978,794.61
Manufacturing	\$4,076,394.96	\$5,747,953.88	\$0.00	\$31,700,704.95	\$41,525,053.79
Mining	\$75,826.12	\$63,430.15	\$0.00	\$199,949.41	\$339,205.68
Employer Industry Unknown	\$133,636.90	\$611,622.92	\$0.00	\$607,015.12	\$1,352,274.94
Other Services (Except Public Administration)	\$452,706.27	\$544,928.07	\$0.00	\$3,517,398.61	\$4,515,032.95
Professional, Scientific & Technical Services	\$525,662.84	\$518,578.34	\$0.00	\$3,012,824.73	\$4,057,065.91
Public Administration	\$4,497,086.13	\$4,925,325.02	\$12,002.71	\$22,732,525.23	\$32,166,939.09
Real Estate & Rental & Leasing	\$372,682.40	\$381,410.97	\$0.00	\$2,206,833.60	\$2,960,926.97
Retail Trade	\$2,291,235.66	\$2,509,356.41	\$5,000.00	\$17,055,036.72	\$21,860,628.79
Transportation & Warehousing	\$5,388,914.54	\$3,366,659.95	\$170,000.00	\$16,767,260.02	\$25,692,834.51
Utilities	\$360,180.57	\$329,151.74	\$0.00	\$1,896,858.65	\$2,586,190.96
Wholesale Trade	\$1,905,338.04	\$1,458,289.78	\$0.00	\$9,595,624.32	\$12,959,252.14
TOTAL	\$32,052,555.81	\$31,303,713.15	\$825,382.24	\$190,290,208.15	\$254,471,859.35

* Workers' Compensation cases develop over time. The dollar amounts disclosed are based on information as of 9-29-2022 and are likely not reflective of the final dollar amounts for the Fiscal Year, because the cases have not fully developed.

COST BY TYPE OF DISABILITY OF ALL INCIDENCES*

TYPE	FISCAL YEAR	NUMBER OF INCIDENCES ¹	NON MEDICAL COMPENSATION ²	MEDICAL COMPENSATION	TOTAL
ACCIDENTAL³					
Temporary ⁴	2019	44,692	\$16,984,849.74	\$132,555,719.19	\$149,540,568.93
	2020	39,206	\$23,789,228.72	\$152,828,715.68	\$176,617,944.40
	2021	41,062	\$33,325,967.07	\$178,621,772.97	\$211,947,740.04
	2022	31,061	\$25,461,479.17	\$153,480,608.90	\$178,942,088.07
Permanent ⁵	2019	15,379	\$306,526,877.99	\$364,536,829.54	\$671,063,707.53
	2020	12,237	\$238,223,434.21	\$281,157,573.35	\$519,381,007.56
	2021	8,697	\$153,185,447.08	\$177,152,745.13	\$330,338,192.21
	2022	2,723	\$35,729,069.57	\$33,594,377.16	\$69,323,446.73
Death ⁶	2019	85	\$3,638,369.74	\$3,256,834.06	\$6,895,203.80
	2020	119	\$3,275,822.11	\$1,154,088.18	\$4,429,910.29
	2021	117	\$3,056,560.79	\$1,097,286.17	\$4,153,846.96
	2022	99	\$827,610.94	\$222,082.26	\$1,049,693.20
TOTAL	2019	60,156	\$327,150,097.47	\$500,349,382.79	\$827,499,480.26
	2020	51,562	\$265,288,485.04	\$435,140,377.21	\$700,428,862.25
	2021	49,876	\$189,567,974.94	\$356,871,804.27	\$546,439,779.21
	2022	33,883	\$62,018,159.68	\$187,297,068.32	\$249,315,228.00
OCCUPATIONAL					
Temporary	2019	1,309	\$386,948.35	\$1,875,192.73	\$2,262,141.08
	2020	1,893	\$933,511.72	\$2,322,226.98	\$3,255,738.70
	2021	840	\$794,762.59	\$2,553,742.48	\$3,348,505.07
	2022	661	\$409,456.84	\$1,926,685.11	\$2,336,141.95
Permanent	2019	636	\$16,477,283.93	\$7,441,515.72	\$23,918,799.65
	2020	448	\$9,933,579.81	\$5,299,410.87	\$15,232,990.68
	2021	276	\$5,218,109.42	\$3,185,761.74	\$8,403,871.16
	2022	83	\$1,754,034.68	\$1,000,095.54	\$2,754,130.22

OCCUPATIONAL (CONTINUED)

TYPE	FISCAL YEAR	NUMBER OF INCIDENTS	NON MEDICAL COMPENSATION ²	MEDICAL COMPENSATION	TOTAL
Death	2019	27	\$1,154,935.50	\$2,680.90	\$1,157,616.40
	2020	11	\$0	\$0	\$0
	2021	16	\$0	\$0	\$0
	2022	5	\$0	\$0	\$0
Total	2019	1,972	\$18,019,167.78	\$9,319,389.35	\$27,338,557.13
	2020	2,352	\$10,867,091.53	\$7,621,637.85	\$18,488,729.38
	2021	1,132	\$6,012,872.01	\$5,739,504.22	\$11,752,376.23
	2022	749	\$2,163,491.52	\$2,926,780.65	\$5,090,272.17
Disability type not determined due to lack of reported compensation	2019	40,380	\$0	\$260.12	\$260.12
	2020	41,011	\$0	\$0	\$0
	2021	44,706	\$0	\$2,211.67	\$2,211.67
	2022	57,036	\$0	\$66,359.18	\$66,359.18
TOTAL	2019	102,508	\$345,169,265.25	\$509,669,032.26	\$854,838,297.51
	2020	94,925	\$276,155,576.57	\$442,762,015.06	\$718,917,591.63
	2021	95,714	\$195,580,846.95	\$362,613,520.16	\$558,194,367.11
	2022	91,668	\$64,181,651.20	\$190,290,208.15	\$254,471,859.35

* Workers' Compensation cases develop over time. The counts and amounts are based on information as of 9-29-2022. The more recent the year, the less reflective the counts and amounts are of what the final counts and dollar amounts will be once the cases have fully developed.

1 - Based on date of injury.

2 - Includes any compensation paid other than medical (TTD, TPD, TT Salary, PPD, PTD, Death, Burial)

3 - Defined as any injury reported with a nature code other than those classified as "Occupational Disease or Cumulative Injury" by WCIO standards.

4 - Defined as any nonfatal injury with reported TTD, TPD, TT Salary, or medical compensation.

5 - Defined as any nonfatal injury with reported PPD or PTD compensation.

6 - Deaths reported. Death may later be determined not to be a compensable work-related injury.

DIVISION OF LABOR STANDARDS



DIVISION DIRECTOR: Todd Smith

The Division of Labor Standards (DLS) and its sections help employers comply with Missouri labor laws and handle complaints from workers to ensure all Missourians are safe on the job and paid wages required by law.

The DLS consists of five sections: Wage and Hour, On-Site Safety and Health Consultation Program, Mine and Cave Safety, Workers' Safety Program and Research and Analysis. The DLS determines and enforces Missouri's Child Labor Law, Minimum Wage Law and Prevailing Wages. The DLS offers a free consultation service to employers to reduce workplace fatalities and help businesses comply with federal Occupational Safety and Health Administration (OSHA) regulations. Mine and cave inspections are also provided along with training to miners on safe work practices.

WAGE & HOUR SECTION

The Wage and Hour section administers the Child Labor, Minimum Wage, and Prevailing Wage Laws for the state of Missouri. Its primary responsibility is assuring child safety, resolving pay disputes, and providing information to the public. The DLS continues to provide outreach programs to help Missouri businesses comply with wage and hour laws.

YOUTH EMPLOYMENT

The Missouri Child Labor Law ensures no child under 16 years of age is employed in an occupation or in a manner that is hazardous or detrimental to the child's safety, health, morals, educational processes, or general well-being.

889

ENTERTAINMENT
PERMITS ISSUED

10,152

WORK CERTIFICATES
REVIEWED

6,261

PUBLIC & PRIVATE
CONTACTS

67

COMPLAINTS
REVIEWED

MINIMUM WAGE

The Minimum Wage Program responds to inquiries from employers and workers about their responsibilities and rights under Missouri wage and hour laws. It also provides educational outreach to businesses and mediates pay disagreements under the Minimum Wage Law.

MINIMUM WAGE

1,215	Complaints Received
19,514	Public & Private Contracts
\$57,327.71	Back Wages Paid
169	Workers Affected

PREVAILING WAGE

The Prevailing Wage Program is responsible for setting the wage rate on public works construction projects with wage surveys collected from contractors.

PREVAILING WAGE

32	Complaints Received
3,310	Public & Private Contracts
\$53,953.15	Back Wages Paid
62	Workers Affected

RESEARCH & ANALYSIS

The DLS' Research and Analysis section collects and reports Missouri employment statistics, workplace injuries, and fatalities to the United States Bureau of Labor Statistics (BLS). Jointly funded by the BLS and The State of Missouri, this section collects statistical data on Missouri nonfatal occupational injuries and illnesses and fatalities for the annual Survey of Occupational Injuries and Illnesses (SOII), and the Census of Fatal Occupational Injuries (CFOI), respectively. For SOII, data is solicited from a random sample of Missouri employers each year as selected by the BLS national office. For CFOI, data is collected for those who died due to a traumatic injury while at work in Missouri.

Missouri consistently ranks in the top three of the 50 states for highest survey response collection rates. In 2021, for the calendar year 2020, the Research and Analysis Unit reported 53,600 workplace injuries and 118 workplace fatalities in Missouri.

WORKPLACE INJURIES & FATALITIES

53,600	Injuries
118	Fatalities

MINE & CAVE SAFETY

The Mine and Cave Safety Program improves the safety of Missouri mines and caves by offering training to miners, mine owners, mine operators, and contractors. Chapter 293 of the Missouri Revised Statutes requires each mine and public cave in Missouri to be inspected on an annual or bi-annual basis for hazards and unsafe or unhealthy work practices. Missouri has received federal funding to provide required training to miners since 1979.

Inspections Required Per Year



- ZERO mining fatalities occurred in Missouri mines in 2021.
Includes data from mining industries. Exempt from Missouri mine laws & regulations.
- On average, two fatalities occur per year in Missouri’s mining industry.
- The last recorded fatality from an operator that received training from this program was in 2015.

The program experienced a 3.5 percent increase in training to contractors over the past three years. The program continues to focus on small operators that are unable to take advantage of the resources larger operators receive, as well as provide training resources for contractors and other stakeholders. Currently, two full-time mine training specialists provide the required Mine Safety and Health training. According to the Missouri Department of Natural Resources, mining is an approximately \$3 billion industry in the state of Missouri.

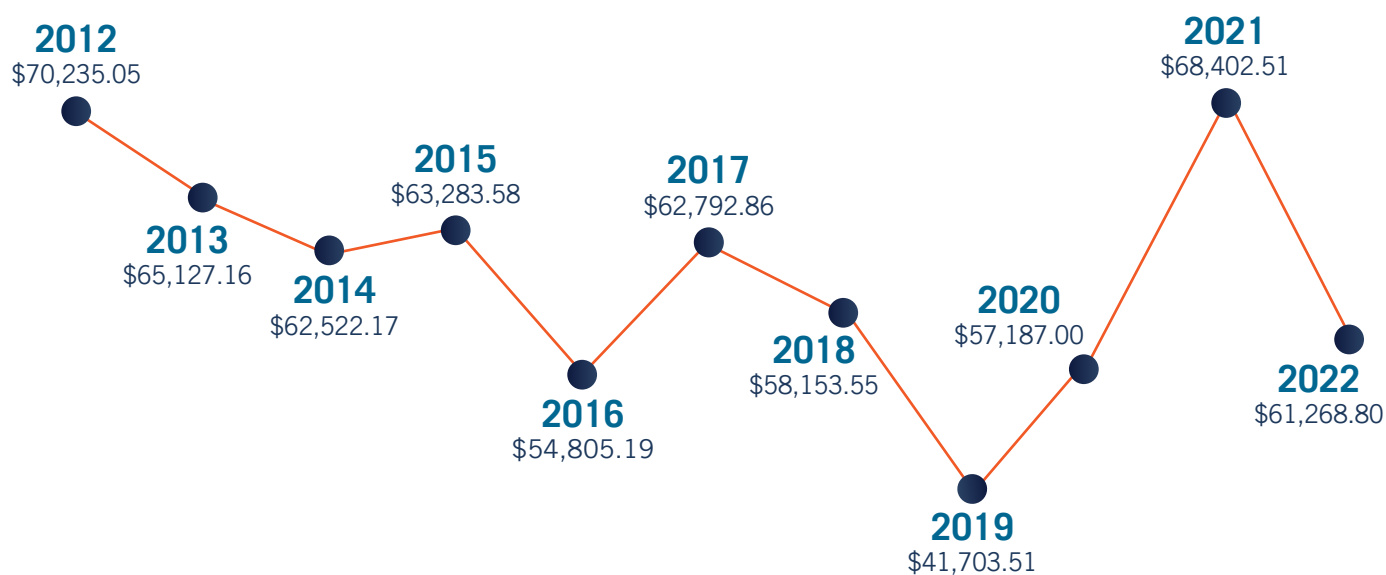
2,307	Miners trained
128	Total inspections
456	Hazards found and eliminated
5,943	Miners and contractors affected
\$1,053,000	Federal fines avoided by Missouri mine operators

10 YEAR PRODUCTION IN TONS

YEAR	CLAY	COAL	COPPER	IRON	LEAD	ZINC	GRANITE	SHALE	SILICA
2013	1,728,676.48	402,486.45	27,902	15,614	262,028	53,717	1,025,649.45	301,162.06	1,538,325.69
2014	1,743,699.71	383,705.75	22,693	13,348.91	264,214	61,294	1,027,504.43	305,264.82	1,159,259.30
2015	1,709,539.51	269,701.78	29,759	7,533	262,115	54,236	1,027,342.48	313,214.88	1,200,739.94
2016	1,735,977.45	99,232.85	21,605	0	172,748	34,294	1,053,681.69	252,048.19	718,810.22
2017	1,810,909.24	245,713.53	27,765	0	185,171	33,498	1,198,199.09	194,104.67	2,068,906.61
2018	1,674,304.18	251,938.73	25,936	0	168,039	35,548	934,778.43	434,509.25	3,630,402.29
2019	1,609,550.26	170,105.00	17,486	0	180,018	35,467	990,169.39	113,907.38	2,917,614.00
2020	1,871,581.52	172,369.00	18,512	0	187,048	33,032	842,983.88	419,338.00	3,967,677.46
2021	1,656,415.52	113,464.67	24,143	0	185,494	30,496	1,035,103.12	361,088.63	3,390,935.73
2022	1,572,803.73	42,844.91	19,820	0	179,893	33,920	1,267,064.15	340,989	3,760,538.07

10 YEAR TONNAGE FEE COLLECTION *

*Tonnage fees from 2017-2019 dropped in part due to a shift away from the use of granite to rhyolite which is not taxed.



WORKERS' SAFETY PROGRAM

The Missouri Workers' Safety Program helps employers improve workplace safety and reduce workers' compensation insurance costs. The program helps to regulate safety services provided by insurance carriers, maintains a list of certified safety consultants and engineers that offer independent services and offers free safety and health consultations.

84

Number of certified physical rehabilitation facilities where injured workers can rehabilitate and receive SIF Rehab benefits

265

Individuals certified as safety consultants/safety engineers

165

Workers' compensation insurance carrier groups' safety programs certified

ON-SITE SAFETY & HEALTH CONSULTATION PROGRAM

The On-Site Safety and Health Consultation Program strives to reduce work-related injuries, illnesses and fatalities by educating and training employers and employees in workplace safety and health issues. The program provides consultations at no cost to Missouri businesses. At the request of the employer, the consultants identify safety and health hazards and offer recommendations for correction with no penalties or fines.



511

On-Site Consultations Conducted



3,217

Serious Hazards Identified



40%

of Hazards Corrected on Location



\$14.5 M

Potential OSHA Penalties Avoided

SAFETY & HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP)

The Missouri On-Site Safety and Health Consultation Program, in conjunction with OSHA, administers the SHARP program. It rewards small businesses that operate exceptional health and safety programs. Participation is offered to businesses that worked with the On-Site consultants, implemented safety programs, and significantly reduced workplace injury and illness rates.

Schaller Hardwood Yard #1 in Poplar Bluff, Doing Steel Inc. in Springfield, and McClain Forest Products, LLC in Alton. achieved SHARP status in 2022.

31 companies are currently participating in SHARP.



EXECUTIVE DIRECTOR: Dr. Alisa Warren

The mission of the Missouri Commission on Human Rights (MCHR) is to encourage fair treatment, foster mutual understanding and respect and discourage discrimination against those protected under the Missouri Human Rights Act (Act). MCHR pursues this mission through its complaint process as well as training and education to members of the public about their rights and responsibilities under the Act.

The Missouri Human Rights Act gives MCHR general jurisdiction and power for the purpose of eliminating and preventing prohibited discrimination; it authorizes MCHR to receive and investigate complaints of discrimination and, where probable cause is found, to litigate those cases at public hearings. The statute empowers MCHR to formulate policies and make recommendations to agencies and officers of the state and political subdivisions; issue the results of studies and research; accept grants, gifts, and bequests to achieve the purpose of the Act; certify local commissions and grant them enforcement power; and enter into work-sharing agreements with federal and local human rights agencies. MCHR has jurisdiction over complaints of discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age (in employment only), and familial status (in housing only).



1,192
COMPLAINTS
FILED



1,112
COMPLAINTS
RESOLVED BY
MCHR STAFF



NEARLY 5,500
PEOPLE ATTENDED
EDUCATION,
TRAINING, AND
OUTREACH EVENTS



\$702,090
NEGOTIATED
IN
SETTLEMENTS



14 LOCAL
HUMAN RIGHTS
AGENCIES IN
MISSOURI

During MCHR's sixty-five years of working toward eradicating discrimination, the agency has provided immeasurable services. The Commission maintains four offices in Missouri as a means of providing access to and delivery of its services. The office locations are:

A - Jefferson City (Central Office)

B - Kansas City

C - St. Louis

D - Sikeston

The agency continues to receive among the largest number of complaints in the Midwestern region of alleged discrimination in employment, public accommodations and housing.



HEARINGS, APPEALS, & SIGNIFICANT DECISIONS REGARDING THE MISSOURI HUMAN RIGHTS

Edgar A. Banks v. Kansas City Area Transportation Authority

Edgar A. Banks alleged the Kansas City Area Transportation Authority (KCATA) subjected him to sex discrimination and retaliation. On October 26, 2021, the Missouri Court of Appeals Western District affirmed the trial court's dismissal of Mr. Banks' petition for failure to state a claim upon which relief may be granted. The court held that the Missouri Human Rights Act (MHRA) does not apply to the KCATA, which is a bi-state agency created in 1965 by a congressionally approved interstate compact between the states of Kansas and Missouri for the purpose of operating a public transit system. The court compared the Kansas Act Against Discrimination with the MHRA prior to amendments that were effective on August 28, 2017, and ruled that the two states' discrimination laws are not complementary or parallel, in that they had, at the time the claim accrued, different burdens of proof and remedies, such that the MHRA imposed an impermissible unilateral burden on the KCATA.

State of Missouri ex rel. Roger L. Middleton v. Combs Hospitality, Inc. d/b/a Radisson Hotel Branson and Kendall Combs, Principal

Roger L. Middleton, a person with a disability who uses a wheelchair for mobility, alleged Combs Hospitality, Inc. d/b/a Radisson Hotel Branson and Kendall Combs failed to reasonably accommodate his disability at their place of public accommodation. In particular, Rachel Middleton reserved in advance by phone a hotel room with a roll-in shower to accommodate Mr. Middleton's disability. When the Middletons arrived at hotel, they asked if the hotel had the wheelchair-accessible room with a roll-in shower and were told yes. When they got to the room, however, there was a two-inch lip on the shower and no roll-in shower. Mr. Middleton alleged that when he went back to the front desk to complain, the hotel clerk was dismissive and rude. Because the room would not accommodate Mr. Middleton's disability, the Middletons spent the next hour looking for other nearby hotels that could accommodate them but located none. They went back to the Radisson to discuss options to find a hotel room. The hotel manager found them an accessible room elsewhere, but it was much older, not as nice, and farther away from the attractions and shows.

On November 1, 2021, the hearing panel determined Respondents violated section 213.065 RSMo. and, therefore, shall take necessary measures to retrofit within one year at least four guest rooms to be equipped with a roll-in shower to accommodate guests with disabilities who require a roll-in shower and shall provide a notarized affidavit attesting to the completion of the four rooms' retrofitting in accordance with all applicable laws. The hearing panel also ordered the hotel to develop an ongoing training program to ensure its employees accurately communicate with the public about what types of accessibility it offers for those with disabilities, including those who use a wheelchair, and to provide training on the requirements of the Americans with Disabilities Act and the MHRA for all current staff and new employees who will be taking reservations, working the front desk, and/or supervising. The panel ordered Respondents to pay \$5,000 to Mr. Middleton as a result of the actual damage he incurred due to the suffering, humiliation, embarrassment, and inconvenience caused when he was not provided the reasonable accommodations guaranteed under the MHRA.

Mohammad Q. Najib v. Missouri Commission on Human Rights, et al. and Mercy Clinic Joplin

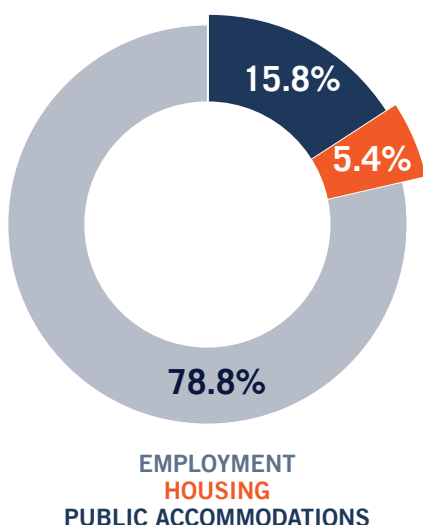
On June 28, 2022, the Missouri Supreme Court denied applications for transfer by the Missouri Commission on Human Rights (MCHR), et al. and Mercy Clinic Joplin (Mercy), leaving in place the Missouri Court of Appeal Western District decision of March 8, 2022, affirming the circuit court's judgment. Mohammad Q. Najib filed a complaint with MCHR in June 2019, alleging his employer discriminated against him on the bases of national origin, ancestry, and religion. Prior to his complaint being on file for 180 days, Complainant requested a notice of right to sue. After the complaint had been on file for 180 days, MCHR determined it lacked jurisdiction due to the employer being owned or operated by a religious organization; did not issue a notice of right to sue for the portion of the complaint related to allegations occurring on or after August 28, 2017, the effective date of amendments to the Missouri Human Rights Act (MHRA); and issued the requested notice for only the allegations occurring before the effective date of those amendments. Mr. Najib petitioned the circuit court, which granted his motion for summary judgment on his petition for a permanent writ of mandamus and directed MCHR to rescind and set aside the portion of its determination that denied Mr. Najib the right to sue letter and to issue the right to sue letter for the allegations occurring on or after August 28, 2017. Although MCHR and Mercy had contended that the 2017 amendments required MCHR to determine that it had jurisdiction before issuing notices of right to sue, the Missouri Court of Appeals Western District affirmed the decision of the circuit court that MCHR was required to issue the notice of right to sue when requested in writing and its administrative processing was not completed after 180 days. The court noted that the Commission is not required to reach the merits in every complaint and that a request for a notice of right to sue is not a nullity when made before the administrative complaint has been on file for over 180 days.

At the end of FY 2022, there were 1,629 investigation complaints, three conciliation complaints, and no public hearing complaints pending.

STATE FISCAL YEAR 2022

MCHR has established work-sharing agreements with the Equal Employment Opportunity Commission (EEOC) and local human rights agencies, increasing efficiency and eliminating duplication.

**PERCENT OF COMPLAINTS FILED
BY SUBJECT MATTER**



COMPLAINTS RECEIVED BY PROTECTED CATEGORY*

PROTECTED CATEGORY	NUMBER
Age	263
Ancestry/National Origin	104
Disability	595
Race	645
Religion	271
Retaliation	528
Sex	771
Family Status	22
Unknown/Other	60
TOTAL	1,192

** Totals do not match total number of complaints received because many complaints allege multiple protected categories.*

** Some complaints are being filed on multiple protected categories.*

DISPOSITIONS DURING FY 2022

Disposition Chart below reflects the types of closures or determinations rendered as a result of investigation, conciliation, or public hearing.

DISPOSITION	EMPLOYMENT	TOTAL	PERCENT
Administrative Closure	5	68	6.2
Probable Cause		5	0.5
Closed at Hearings	5	10	0.8
Failure to Cooperate	4	16	1.4
Negotiated Settlement	4	11	1.0
No Jurisdiction	37	65	5.8
No Violation	166	261	23.5
Right to Sue	494	528	47.5
Unable to Locate	10	10	0.9
Withdrawal	78	89	8.0
Withdrawal/Settled	44	49	5.2
TOTALS	839	1,112	100.0

TOTAL CASES RECEIVED BY YEAR & JURISDICTION

FISCAL YEAR	JURISDICTION	MCHR	DUAL FILED BY EEOC ³
2021	Employment	1,088	1,544
	Public Accommodations	187	
	Housing	65	
	TOTALS	1,340	1,544
2020	Employment	835	1,374
	Public Accommodations	104	
	Housing	33	
	TOTALS	972	1,374
2019	Employment	1,460	1,948
	Public Accommodations	132	
	Housing	15	
	TOTALS	1,607	1,948
2018	Employment	1,430	2,172
	Public Accommodations	192	
	Housing	84	
	TOTALS	1,706	2,172
2017	Employment	1,180	2,033
	Public Accommodations	121	
	Housing	170	
	TOTALS	1,471	2,033

The preceding chart illustrates the number of complaints filed with MCHR by category for the past five years. It also shows the number of complaints received by the EEOC that are dual filed with MCHR. Because EEOC has responsibility for only employment discrimination, the 1,374 cases under the dual-filed column reflect the number of additional cases MCHR would be responsible for if there were no EEOC or if MCHR and EEOC did not have a work-sharing agreement.

³ Since 1978, complaints filed with MCHR are automatically filed with EEOC, if EEOC has jurisdiction, and vice versa. The agency receiving the complaint is usually the agency that processes it.

COMMISSIONERS

The Commission consists of eleven members who are appointed by the Governor with the advice and consent of the Senate and serve for six years without compensation. The Governor appoints at least one member from each of Missouri's eight congressional districts and one member as chairperson. The Commission generally meets quarterly, and its meetings are open to the public.

ANTONIO MALDONADO

Commissioner – 1st District
Term Expires: April 1, 2026

VACANT

Commissioner – 2nd District

VACANT

Commissioner – 3rd District

VACANT

Commissioner – 4th District

DONNA L. BIRKS

Commissioner – 5th District
Term Expired: April 1, 2018

VACANT

Commissioner – 6th District

VACANT

Commissioner – 7th District

VACANT

Commissioner – 8th District

JADE JUMP

Commissioner – At-Large
Term Expires: April 1, 2023

VACANT

Commissioner – At-Large

DR. TIMOTHY FABER

Chairperson & Commissioner – At-Large
Term Expires: April 1, 2026

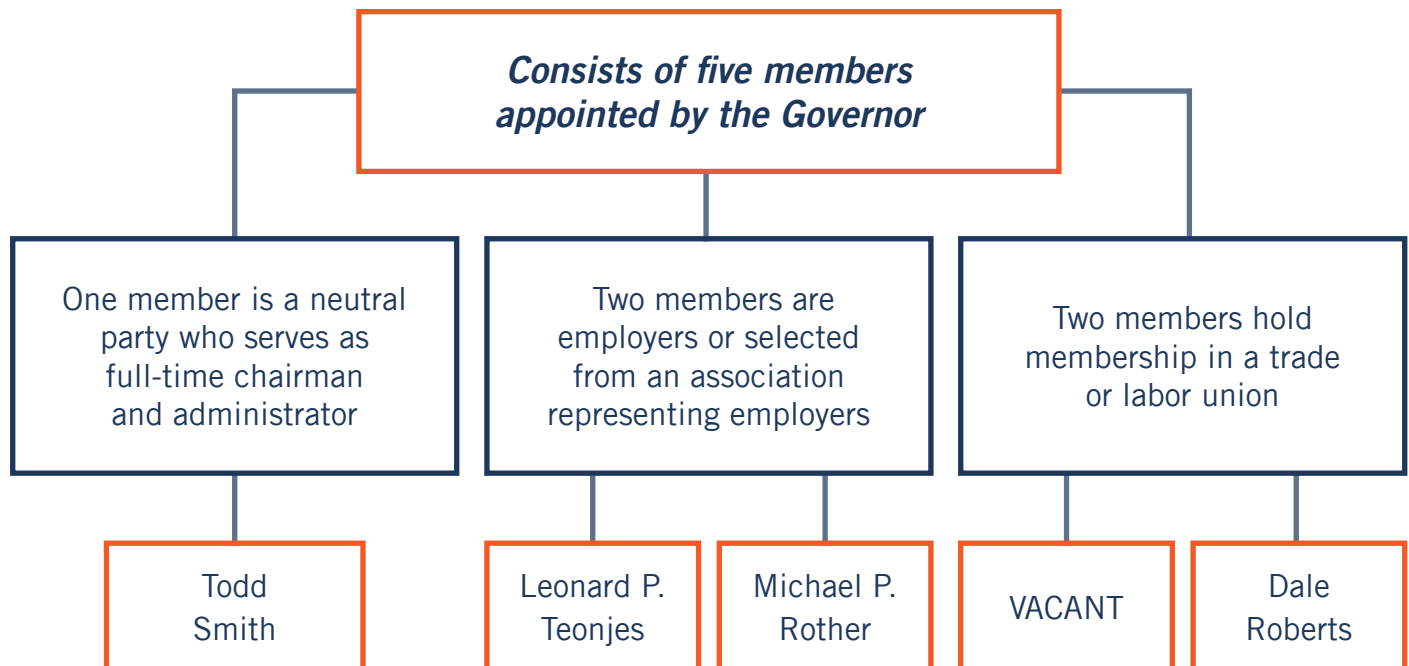
STATE BOARD OF MEDIATION



CHAIRMAN: Todd Smith

The State Board of Mediation's (SBM) duties include defining appropriate bargaining units of public employees, certifying or decertifying of bargaining units, and determining majority representation status by secret ballot elections.

If a public employer and a petitioning labor organization cannot agree on which employees should be included in an appropriate bargaining unit, or on the manner of conducting the election, the SBM will hold a formal hearing at which the parties may present evidence and legal arguments in support of their positions on the disputed questions. After considering the evidence and legal arguments, the board issues a written decision resolving the disputes.



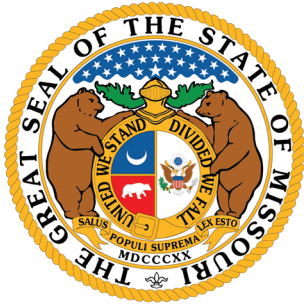
If a majority of the members of a bargaining unit vote for the labor organization in a board-conducted election, the SBM certifies it as the exclusive bargaining representative for all the unit members for the purposes of collective bargaining. The labor organization will then negotiate with the public employer of the unit members over salaries and other conditions of employment with the goal of reaching a written agreement governing these matters. The labor organization will also represent all unit members with regard to individual employment issues that may arise, such as disciplinary charges.

The SBM's jurisdiction under the Public Sector Labor Law, RSMo 105.500 - 105.530, to determine appropriate bargaining units and to certify exclusive bargaining representatives, extends to almost all public employees, including those employed by the state and its agencies, counties, cities, and school districts. In an effort to make the SBM more responsive and accessible to citizens, in 2020 the SBM began accepting petitions of Certification for Representation, Decertification and amended petitions online. Applicants can now answer a few simple questions and submit the required forms directly to the SBM along with an electronic signature. Once the petitions are submitted online, applicants receive an automatic notification with a case number and copy of the completed petition, saving time for both the applicant and staff.

FISCAL YEAR 2022

TIME FROM INITIAL TELECONFERENCE TO ELECTION - 28.87 DAYS

Petitions Filed	33
Elections	8
In-Person	0
Electronic Balloting	8
Mail-In Ballot	0
Representation Elections Conducted	7
Decertification Elections	2
Disclaimed Interest	4
Election Appeals	1
Hearings on Disputed Issues	1
Public Employees Affected	3,162
Unit Clarifications	6
Amendment of Certifications	9
Cases Dismissed/Withdrawn	9



MISSOURI

DEPARTMENT OF LABOR &
INDUSTRIAL RELATIONS

ASPIRATION

We will promote economic vitality, safety, and fairness for Missouri's businesses and workers.

THEMES

GROWTH

Foster a business environment to support economic development

SAFETY

Prevent injuries and save lives on the job

OPPORTUNITY

Invest in our workforce for today & tomorrow

INITIATIVES

- Map each Key Customer Journey for DOLIR customers
- Develop MCHR online customer portal
- Develop a process for virtual inspections

- Research & Create de-escalation/secondary trauma protocol and training
- Improve building security
 - Raise awareness for Youth Farm Safety
- Enhance field staff safety

- Ensure consistent implementation of succession planning process
- Refine process to ensure ongoing reviews and updates to DOLIR's administrative manual and policies
- Update guidelines and template used by DOLIR for the development of standard operating procedures
- Improve usability of external electronic forms
- Develop a centralized case assignment process for MCHR





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labor.mo.gov

*Missouri Department of Labor and Industrial Relations
is an equal opportunity employer/program.*